

Senate Amendment 3192

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1 1 Amend Senate File 419, as passed by the Senate, as
1 2 follows:
1 3 #1. Page 4, by inserting after line 20 the
1 4 following:
1 5 <Sec. _____. Section 321.194, subsection 1,
1 6 paragraph a, subparagraph (1), Code 2009, is amended
1 7 to read as follows:
1 8 (1) During the hours of ~~6~~ 5 a.m. to 10 p.m. over
1 9 the most direct and accessible route between the
1 10 licensee's residence and schools of enrollment or the
1 11 closest school bus stop or public transportation
1 12 service, and between schools of enrollment, for the
1 13 purpose of attending duly scheduled courses of
1 14 instruction and extracurricular activities within the
1 15 school district.>
1 16 #2. Page 4, by inserting after line 20 the
1 17 following:
1 18 <Sec. _____. Section 321.194, subsection 1,
1 19 paragraph a, Code 2009, is amended by adding the
1 20 following new subparagraph:
1 21 NEW SUBPARAGRAPH. (1A) To a service station for
1 22 the purpose of refueling, so long as the service
1 23 station is the station closest to the route the
1 24 licensee is traveling on under subparagraph (1).>
1 25 #3. Page 5, by inserting after line 2 the
1 26 following:
1 27 <Sec. _____. Section 321.218, subsection 3, Code
1 28 2009, is amended to read as follows:
1 29 3. a. The department, upon receiving the record
1 30 of the conviction of a person under this section upon
1 31 a charge of operating a motor vehicle while the
1 32 license of the person is suspended or revoked, shall,
1 33 except for licenses suspended under section 252J.8,
1 34 321.210, subsection 1, paragraph "c", or section
1 35 321.210A or 321.513, extend the period of suspension
1 36 or revocation for an additional like period or for one
~~1 37 year, whichever period is shorter,~~ and the department
1 38 shall not issue a new driver's license to the person
1 39 during the ~~additional~~ extended period.
1 40 b. If the department receives a record of a
1 41 conviction of a person under this section but the
1 42 person's driving record does not indicate what the
1 43 original grounds of suspension were, the period of
1 44 suspension under this subsection shall be for a period
1 45 not to exceed six months.>
1 46 #4. Page 5, by inserting after line 2 the
1 47 following:
1 48 <Sec. _____. Section 321J.4, subsection 2, Code
1 49 2009, is amended to read as follows:
1 50 2. If a defendant is convicted of a violation of
2 1 section 321J.2, and the defendant's driver's license
2 2 or nonresident operating privilege has not already
2 3 been revoked under section 321J.9 or 321J.12 for the
2 4 occurrence from which the arrest arose, the department
2 5 shall revoke the defendant's driver's license or
2 6 nonresident operating privilege for two years if the
2 7 defendant has had a previous conviction or revocation
2 8 under this chapter. The defendant shall not be
2 9 eligible for any temporary restricted license for ~~one~~
~~2 10 year~~ forty-five days after the effective date of
2 11 revocation. The defendant shall be ordered to install
2 12 an ignition interlock device of a type approved by the
2 13 commissioner of public safety on all vehicles owned by
2 14 the defendant if the defendant seeks a temporary
2 15 restricted license at the end of the minimum period of
2 16 ineligibility. A temporary restricted license shall
2 17 not be granted by the department until the defendant
2 18 installs the ignition interlock device.
2 19 #5. Page 6, by inserting after line 1 the
2 20 following:
2 21 <Sec. _____. Section 805.6, subsection 1, paragraph
2 22 d, Code 2009, is amended to read as follows:
2 23 d. The written appearance defined in paragraph "b"
2 24 shall not be used for any offense other than a simple

2 25 misdemeanor and shall not be used for any offense
 2 26 ~~under section 321.218 or 321A.32.>~~
 2 27 #6. Page 6, by inserting after line 2 the
 2 28 following:
 2 29 <Sec. _____. EFFECTIVE DATE AND RETROACTIVE
 2 30 APPLICABILITY. The section of this division of this
 2 31 Act amending section 321J.13, being deemed of
 2 32 immediate importance, takes effect upon enactment and
 2 33 applies retroactively to January 1, 2005, for
 2 34 disqualifications in effect on or after that date.>
 2 35 #7. Page 11, by inserting after line 26 the
 2 36 following:
 2 37 <Sec. _____. Section 321.166, subsection 2, Code
 2 38 2009, is amended to read as follows:
 2 39 2. Every registration plate or pair of plates
 2 40 shall display a registration plate number which shall
 2 41 consist of alphabetical or numerical characters or a
 2 42 combination thereof and the name of this state, which
 2 43 may be abbreviated. Every registration plate issued
 2 44 by the county treasurer shall display the name of the
 2 45 county, including any plate issued pursuant to section
 2 46 321.34, except Pearl Harbor and purple heart
 2 47 registration plates issued prior to January 1, 1997;
 2 48 ~~registration plates issued pursuant to section 321.34,~~
 2 49 ~~subsection 13, paragraph "d"; and collegiate, fire~~
 2 50 ~~fighter, and medal of honor registration plates.~~
 3 1 Special truck registration plates shall display the
 3 2 word "special". The department may adopt rules to
 3 3 ~~implement this subsection.>~~
 3 4 #8. Page 12, by inserting after line 4 the
 3 5 following:
 3 6 <Sec. _____. Section 321A.17, Code 2009, is amended
 3 7 by adding the following new subsection:
 3 8 NEW SUBSECTION. 9. The registration suspension
 3 9 required under this section does not apply to a motor
 3 10 vehicle awarded to an individual under an order
 3 11 entered pursuant to section 598.21, if all of the
 3 12 following apply:
 3 13 a. The individual was the co-owner of the motor
 3 14 vehicle with a spouse who is required to file and
 3 15 maintain proof of financial responsibility.
 3 16 b. The individual is not otherwise required to
 3 17 file and maintain proof of financial responsibility.
 3 18 c. The individual is not able to obtain title to
 3 19 the motor vehicle in the individual's sole name due to
 3 20 a lien against the motor vehicle that existed at the
 3 21 time the order was entered pursuant to section
 3 22 598.21.>
 3 23 #9. Page 19, by inserting after line 3 the
 3 24 following:
 3 25 <Sec. _____. EFFECTIVE DATE. The section of this
 3 26 division of this Act enacting section 321A.17,
 3 27 subsection 9, being deemed of immediate importance,
 3 28 takes effect upon enactment.>
 3 29 #10. Page 21, by striking lines 2 through 25 and
 3 30 inserting the following:
 3 31 <NEW SUBSECTION. 8. In the course of enforcing
 3 32 the motor carrier safety rules adopted by the
 3 33 department under chapter 17A, the department's peace
 3 34 officers are authorized, at reasonable times and
 3 35 places and with reasonable notice, to enter a motor
 3 36 carrier's place of business for the purpose of
 3 37 performing a motor carrier safety audit or compliance
 3 38 review. Nothing in this subsection by itself permits
 3 39 the seizure of the property of a motor carrier. Any
 3 40 audit or review shall be conducted in compliance with
 3 41 the federal motor carrier safety regulations in 49
 3 42 C.F.R. pts. 105=185, 382, 383, 385, and 390=399. A
 3 43 peace officer of the department is authorized to
 3 44 inspect and copy motor carrier records required by 49
 3 45 C.F.R. pts. 105=185, 382, 383, 385, and 390=399.>
 3 46 #11. By renumbering, relettering, or redesignating
 3 47 and correcting internal references as necessary.
 3 48 SF 419.H
 3 49 dea/cm/25